

# EXHIBIT A

**From:** Davis, D'Lesli M. <dlesli.davis@nortonrosefulbright.com>

**Sent:** Tuesday, May 10, 2022 4:14 PM

**To:** George T. Williamson <gwilliamson@farr.com>

**Cc:** Norris, Ellie <ellie.norris@nortonrosefulbright.com>; aslater <aslater@mazieslater.com>; Christopher Geddis <CGeddis@mazieslater.com>; Davis, D'Lesli M. <dlesli.davis@nortonrosefulbright.com>; Davis, D'Lesli M. <dlesli.davis@nortonrosefulbright.com>

**Subject:** Re: [EXT]Meet and Confer Re Wholesaler Indemnity Issues

Hi George:

Pursuant to your email item 2 below, McKesson hereby discloses that the following Retail Pharmacies have requested indemnification from McKesson for claims in the instant suit:



The status of each is unresolved. We will supplement this information if it changes.

We understand that the above, along with our similar disclosures yesterday regarding Manufacturers as to whom McKesson has sought indemnification and the status of those requests, fully satisfies your discovery requests as they relate to indemnification. We will address with the Court the defense issues separately.

Thanks.

D'Lesli

**D'Lesli M. Davis** | Head of Life Sciences and Healthcare, United States  
Norton Rose Fulbright US LLP  
2200 Ross Avenue, Suite 3600, Dallas, Texas 75201-7932, United States  
Cell +1 214 235 6094  
Tel +1 214 855 8221 | Fax +1 214 855 8200  
[dlesli.davis@nortonrosefulbright.com](mailto:dlesli.davis@nortonrosefulbright.com)

**NORTON ROSE FULBRIGHT**

*Law around the world*

[nortonrosefulbright.com](http://nortonrosefulbright.com)

On May 10, 2022, at 09:34, George T. Williamson <[gwilliamson@farr.com](mailto:gwilliamson@farr.com)> wrote:

Sorry to pile on, but just so I am clear - we are not requesting document production beyond what has been ordered and per Rule 26(e).

**George T. Williamson** | Director  
FARR, FARR, EMERICH, HACKETT, CARR & HOLMES, P.A.  
99 Nesbit Street, Punta Gorda, Florida 33950  
941.639.1158 | F: 941.639.0028 | [farr.com](http://farr.com)



---

**From:** George T. Williamson  
**Sent:** Tuesday, May 10, 2022 9:17 AM  
**To:** Davis, D'Lesli M. <[dlesli.davis@nortonrosefulbright.com](mailto:dlesli.davis@nortonrosefulbright.com)>  
**Cc:** Norris, Ellie <[ellie.norris@nortonrosefulbright.com](mailto:ellie.norris@nortonrosefulbright.com)>; aslater <[aslater@mazieslater.com](mailto:aslater@mazieslater.com)>;  
Christopher Geddis <[CGeddis@mazieslater.com](mailto:CGeddis@mazieslater.com)>  
**Subject:** RE: [EXT]Meet and Confer Re Wholesaler Indemnity Issues

D'Lesli, thanks for your email. As to your points:

1. I'm not sure we are on the same page. This exercise was intended to identify "the existence and status of any agreements, written or oral" between the parties regarding indemnification/defense. We understand this to include requests, agreements to indemnify/defend, refusals to indemnify/defend, and agreements that relate to those subjects (i.e. an agreement to defer the issue). If that information is contained within a communication, oral or written, we believe we are entitled to the facts underlying the communication. Those facts can be communicated to us – we are not requesting a new round of document production related to these agreements—perhaps this is where the misunderstanding lies.
2. The information you communicated to me yesterday regarding your client's demands for indemnification to the manufacturers, the status of those demands, and the fact that there had been no agreements reached, oral or written, with regard to any of those demands, I felt satisfied SMO 64 with respect to your upstream suppliers. If you feel there is additional information related to your downstream customers that falls within the scope of SMO 64, I believe you have an obligation to provide it under SMO 64.

I am hopeful that you will agree to provide the complete ordered information so that we can move past this issue.

Thanks,

George

**George T. Williamson | Director**  
FARR, FARR, EMERICH, HACKETT, CARR & HOLMES, P.A.  
99 Nesbit Street, Punta Gorda, Florida 33950  
941.639.1158 | F: 941.639.0028 | [farr.com](http://farr.com)



---

**From:** Davis, D'Lesli M. <[dlesli.davis@nortonrosefulbright.com](mailto:dlesli.davis@nortonrosefulbright.com)>  
**Sent:** Monday, May 09, 2022 5:12 PM  
**To:** George T. Williamson <[gwilliamson@farr.com](mailto:gwilliamson@farr.com)>  
**Cc:** Norris, Ellie <[ellie.norris@nortonrosefulbright.com](mailto:ellie.norris@nortonrosefulbright.com)>; aslater <[aslater@mazieslater.com](mailto:aslater@mazieslater.com)>;  
Christopher Geddis <[CGeddis@mazieslater.com](mailto:CGeddis@mazieslater.com)>; Davis, D'Lesli M. <[dlesli.davis@nortonrosefulbright.com](mailto:dlesli.davis@nortonrosefulbright.com)>; Davis, D'Lesli M. <[dlesli.davis@nortonrosefulbright.com](mailto:dlesli.davis@nortonrosefulbright.com)>  
**Subject:** RE: [EXT]Meet and Confer Re Wholesaler Indemnity Issues

Hi George et al –

Just some quick clarifications:

1) we had talked about you making clear that your requests do not seek and you do not interpret SMO 64 to cover communications between the parties regarding indemnification/defense – is that still correct?

2) we take your offer below on indemnification to be that if we will provide the names of the Retailers who have made demand on McKesson for indemnification and the status of McKesson's position on those demands, that will resolve all issues related to Plaintiffs' discovery requests on indemnification, is that correct?

Many thanks.

D'Lesli

---

**From:** George T. Williamson <[gwilliamson@farr.com](mailto:gwilliamson@farr.com)>

**Sent:** Monday, May 9, 2022 3:27 PM

**To:** Davis, D'Lesli M. <[dlesli.davis@nortonrosefulbright.com](mailto:dlesli.davis@nortonrosefulbright.com)>

**Cc:** Norris, Ellie <[ellie.norris@nortonrosefulbright.com](mailto:ellie.norris@nortonrosefulbright.com)>; aslater <[aslater@mazieslater.com](mailto:aslater@mazieslater.com)>;

Christopher Geddis <[CGeddis@mazieslater.com](mailto:CGeddis@mazieslater.com)>

**Subject:** RE: [EXT]Meet and Confer Re Wholesaler Indemnity Issues

Hi D'Lesli,

After conferring with the rest of our team, we are not going to be able to make an agreement on the defense costs issue so we'll plan on briefing that with the Court.

Please let us know if you intend to provide the requested indemnification agreement information with respect to your client and Retailer Defendants. If so, we will remove the topic of indemnification from the brief.

Thanks,

George

**George T. Williamson | Director**

FARR, FARR, EMERICH, HACKETT, CARR & HOLMES, P.A.

99 Nesbit Street, Punta Gorda, Florida 33950

941.639.1158 | F: 941.639.0028 | [farr.com](http://farr.com)



---

**From:** Davis, D'Lesli M. <[dlesli.davis@nortonrosefulbright.com](mailto:dlesli.davis@nortonrosefulbright.com)>

**Sent:** Monday, May 09, 2022 12:26 PM

**To:** George T. Williamson <[gwilliamson@farr.com](mailto:gwilliamson@farr.com)>

**Cc:** Norris, Ellie <[ellie.norris@nortonrosefulbright.com](mailto:ellie.norris@nortonrosefulbright.com)>

**Subject:** Re: [EXT]Meet and Confer Re Wholesaler Indemnity Issues

Hi George -

D'Lesli Davis for McKesson. Do you have time today to have a quick chat about these issues?

Many thanks.

D'Lesli

**D'Lesli M. Davis** | Head of Life Sciences and Healthcare, United States  
Norton Rose Fulbright US LLP  
2200 Ross Avenue, Suite 3600, Dallas, Texas 75201-7932, United States  
Cell +1 214 235 6094  
Tel +1 214 855 8221 | Fax +1 214 855 8200  
[dlesli.davis@nortonrosefulbright.com](mailto:dlesli.davis@nortonrosefulbright.com)

**NORTON ROSE FULBRIGHT**

*Law around the world*  
[nortonrosefulbright.com](http://nortonrosefulbright.com)

On May 2, 2022, at 08:14, George T. Williamson <[gwilliamson@farr.com](mailto:gwilliamson@farr.com)> wrote:

**[External Email – Use Caution]**

Jeff, we were surprised to see your filing in last week's CMC agenda. The Wholesaler Defendants are the only group who refuse to provide any information pursuant to our March 17, 2022 letter and SMO 64. If it was unclear during the meet and confer as to what information we need, we are still hopeful that you will provide the following information on behalf of your clients:

1. Who did you have supplier agreements with (or any such agreement) that contained defend and indemnify provisions?
2. Who have you asked for tender of a defense and/or indemnification?
3. Who has asked you for tender of a defense and/or indemnification?
4. Who has agreed to tender your clients' defense and/or indemnification?
5. Who have you agreed to tender a defense and/or indemnify?
6. Disclose the status of any dispute, litigation, mediation, or arbitration between Defendants related to the above agreements.

We believe that SMO 64 requires this information, at the very least. If you have a different understanding of the order we are happy to discuss further, though please keep in mind that we will be filing our final report with the Court tomorrow.

Thanks,

George

**George T. Williamson** | Director  
FARR, FARR, EMERICH, HACKETT, CARR & HOLMES, P.A.  
99 Nesbit Street, Punta Gorda, Florida 33950  
941.639.1158 | F: 941.639.0028 | [farr.com](http://farr.com)



---

**From:** Geoppinger, Jeff <[jgeoppinger@ulmer.com](mailto:jgeoppinger@ulmer.com)>  
**Sent:** Monday, April 18, 2022 4:10 PM  
**To:** George T. Williamson <[gwilliamson@farr.com](mailto:gwilliamson@farr.com)>; aslater <[aslater@mazieslater.com](mailto:aslater@mazieslater.com)>

**Cc:** D'Lesli M. Davis <[dlesli.davis@nortonrosefulbright.com](mailto:dlesli.davis@nortonrosefulbright.com)>; Ellie Norris <[ellie.norris@nortonrosefulbright.com](mailto:ellie.norris@nortonrosefulbright.com)>; Campbell, Daniel <[DCampbell@crowell.com](mailto:DCampbell@crowell.com)>; Dennis, Mimi <[MDennis@crowell.com](mailto:MDennis@crowell.com)>; [lhilton@meyerwilson.com](mailto:lhilton@meyerwilson.com); Christopher Geddis <[CGeddis@mazieslater.com](mailto:CGeddis@mazieslater.com)>; [dstanoch@kanner-law.com](mailto:dstanoch@kanner-law.com); John Davis <[jdavis@slackdavis.com](mailto:jdavis@slackdavis.com)>

**Subject:** RE: [EXT]Meet and Confer Re Wholesaler Indemnity Issues

George:

Wholesalers are available at 4 pm EST tomorrow. I will have a calendar invite sent.

Jeff

-----  
Jeffrey D. Geoppinger  
Ulmer & Berne LLP  
p 513.698.5038  
c 513.290.7902

---

**From:** George T. Williamson <[gwilliamson@farr.com](mailto:gwilliamson@farr.com)>

**Sent:** Monday, April 18, 2022 10:16 AM

**To:** Geoppinger, Jeff <[jgeoppinger@ulmer.com](mailto:jgeoppinger@ulmer.com)>; aslater <[aslater@mazieslater.com](mailto:aslater@mazieslater.com)>

**Cc:** D'Lesli M. Davis <[dlesli.davis@nortonrosefulbright.com](mailto:dlesli.davis@nortonrosefulbright.com)>; Ellie Norris <[ellie.norris@nortonrosefulbright.com](mailto:ellie.norris@nortonrosefulbright.com)>; Campbell, Daniel <[DCampbell@crowell.com](mailto:DCampbell@crowell.com)>; Dennis, Mimi <[MDennis@crowell.com](mailto:MDennis@crowell.com)>; [lhilton@meyerwilson.com](mailto:lhilton@meyerwilson.com); Christopher Geddis <[CGeddis@mazieslater.com](mailto:CGeddis@mazieslater.com)>; [dstanoch@kanner-law.com](mailto:dstanoch@kanner-law.com); John Davis <[jdavis@slackdavis.com](mailto:jdavis@slackdavis.com)>

**Subject:** RE: [EXT]Meet and Confer Re Wholesaler Indemnity Issues

Jeff, we are requesting confirmation from the wholesalers of the items in our letter dated March 17, 2022, and as ordered in SMO 64.

I am available after 4pm ET today, and tomorrow afternoon from 2pm ET on. Let me know what works best for you.

**George T. Williamson** | Director  
FARR, FARR, EMERICH, HACKETT, CARR & HOLMES, P.A.  
99 Nesbit Street, Punta Gorda, Florida 33950  
941.639.1158 | F: 941.639.0028 | [farr.com](http://farr.com)



---

**From:** Geoppinger, Jeff <[jgeoppinger@ulmer.com](mailto:jgeoppinger@ulmer.com)>

**Sent:** Friday, April 15, 2022 3:04 PM

**To:** aslater <[aslater@mazieslater.com](mailto:aslater@mazieslater.com)>; George T. Williamson <[gwilliamson@farr.com](mailto:gwilliamson@farr.com)>

**Cc:** D'Lesli M. Davis <[dlesli.davis@nortonrosefulbright.com](mailto:dlesli.davis@nortonrosefulbright.com)>; Ellie Norris <[ellie.norris@nortonrosefulbright.com](mailto:ellie.norris@nortonrosefulbright.com)>; Campbell, Daniel <[DCampbell@crowell.com](mailto:DCampbell@crowell.com)>; Dennis, Mimi <[MDennis@crowell.com](mailto:MDennis@crowell.com)>

**Subject:** [EXT]Meet and Confer Re Wholesaler Indemnity Issues

Adam/George:

Pursuant to the Court's directive that the parties meet and confer by April 30, 2022, regarding indemnity issues, Wholesalers would like to have an initial, collective call to understand from Plaintiffs what information they are requesting from Wholesalers concerning indemnity issues. Please let us know if you and/or another member of the Plaintiffs' Executive Committee are available for a call on the afternoon of April 18 or on April 19 to discuss Plaintiffs' requests. Thanks.

Jeffrey D. Geoppinger



DIRECT: 513.698.5038

DIRECT FAX: 513.698.5039

MOBILE: 513.290.7902

[jgeoppinger@ulmer.com](mailto:jgeoppinger@ulmer.com) | [bio](#) | [vcard](#)

**Ulmer & Berne LLP**

312 Walnut Street, Suite 1400

Cincinnati, Ohio 45202-4029

MAIN: 513.698.5000

[Ulmer.com](http://Ulmer.com)



---

ULMER & BERNE LLP - CONFIDENTIAL COMMUNICATION

This email and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom it is addressed. If you are not the intended recipient or the person responsible for delivering the email to the intended recipient, please be advised that you have received this email in error and that any use, dissemination, forwarding, printing, or copying of this email and any file attachments is strictly prohibited. If you have received this email in error, please immediately notify us by telephone at 216.583.7000 or by reply email to the sender. Please delete this email and its attachments from your system and do not retain any copies. You will be reimbursed for reasonable costs incurred in notifying us.

**CONFIDENTIALITY NOTICE:** This email, including any attachments, is confidential and may be privileged. If you are not the intended recipient please notify the sender immediately, and please delete it; you should not copy it or use it for any purpose or disclose its contents to any other person. Norton Rose Fulbright entities reserve the right to monitor all email communications through their networks.

Norton Rose Fulbright Australia, Norton Rose Fulbright LLP, Norton Rose Fulbright Canada LLP, Norton Rose Fulbright South Africa Inc and Norton Rose Fulbright US LLP are separate legal entities and all of them are members of Norton Rose Fulbright Verein, a Swiss verein. Norton Rose Fulbright Verein helps coordinate the activities of the members but does not itself provide legal services to clients. Details of each entity, with certain regulatory information, are available at [nortonrosefulbright.com](http://nortonrosefulbright.com).